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DOE Cites Bechtel National Inc. for Price-Anderson Violations

WASHINGTON, DC – The U.S. Department of Energy (DOE) today issued a Preliminary Notice of Violation (PNOV) to Bechtel National, Inc. (BNI) for a nuclear safety violation at DOE's Hanford Site near Richland, Washington. BNI is the contractor responsible for the design and construction of the Waste Treatment and Immobilization Plant (WTP) at the Hanford Site in southeast Washington State.

The PNOV cites a violation of 10 C.F.R. Part 708, *DOE Contractor Employee Protection Program*, that prohibits DOE contractors from retaliating against DOE contractor employees who believe they have disclosed information concerning danger to public health or safety. An alleged retaliation was first reported in 2005 by an employee at the Hanford Site who raised nuclear safety-related concerns at the WTP. In determining a violation occurred, DOE considered a finding by DOE's Office of Hearings and Appeals (OHA), which has responsibility for resolving whistleblower complaints under Part 708, that retaliation occurred against the employee in response to his protected disclosures.

The proposed civil penalty of \$41,250 is based on the significance of the violations, taking into account mitigating factors that reflect actions taken by BNI to institute safety conscious workplace programs and procedures and to train management on the importance of encouraging safety-related inquiries in a nuclear environment. The substance of the employee's safety concerns was evaluated and addressed as part of a prior investigation by DOE's Office of Enforcement, and was part of a PNOV issued to BNI in October 2007.

The Price-Anderson Amendments Act of 1988 authorizes the Energy Department to impose civil penalties on its contractors for violations of its nuclear safety requirements. DOE's Enforcement Program encourages Departmental contractors to identify and correct nuclear safety deficiencies at an early stage before they contribute to or result in more serious events.

Additional details on this and other DOE enforcement actions are available at:
www.hss.doe.gov/enforce.

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